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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,984	06/20/2001	David R. Daniels	P00,1904	6954

7590

07/28/2005

EVEREST INTELLECTUAL PROPERTY LAW GROUP  
P.O. BOX 708  
NORTHBROOK, IL 60065

EXAMINER
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SELF, SHELLEY M

ART UNIT	PAPER NUMBER
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3725

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/885,984	<b>Applicant(s)</b> DANIELS ET AL.	
	<b>Examiner</b> Shelley Self	<b>Art Unit</b> 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 6, 11, 12 and 15-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6, 11, 12 and 15-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 September 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 18, 2005 has been entered.

### *Drawings*

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the *at least three groups...unique combination of radial distances...and angular positions* (clms. 6, 11) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the

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renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 11, 12, 14-17, 19, 21-24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rice et al. (4,884,604) in view of Ferdinand et al. (4,484,608). As noted in a previous Office Action (5/28/04), Rice discloses a router table comprising a support connected to a table top (fig. 1), router mounting hole patterns centered around a common router bit hole through the table top (figs. 1, 3). Rice does not disclose the hole patterns to have unique radial distance and angular positions. Ferdinand discloses a router table having a tool mounting plate (94) having three groups of hole patterns for mounting routers of different arrangements wherein the hole groups have a unique combination of radial and angular positions around the router bit (fig. 2). Examiner notes that the mounting holes (100) are at a different radial distance and angular position than the mounting holes of (102) and (104), likewise the mounting holes (102) are furthest away from the router hole, i.e. unique radial distance and have an different angular

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position that that of mounting holes (100) and (104). Similarly, mounting holes (104) are at a radial distance that is between that of mounting holes (100) and (102), thus different and unique and have different angular positions than that of mounting holes (100) and (102). Because the references are from a similar art and deal with a similar problem (i.e., mounting various routers with different mounting arrangements to a planar surface) it would have been obvious at the time of the invention to one having ordinary skill in the art to replace Rice's mounting insert with a mounting insert having at least three hole pattern groups with unique radial distances and angular positions so as to efficiently mount different routers to a router table as taught by Ferdinand.

With regard to claim 12, both Rice and Ferdinand disclose the router hole positioned substantially centrally with respect to the hole pattern of at least one of the groups.

With regard to claims 14, 15, 21 and 22, Rice discloses the support includes a plurality of vertical legs (14).

With regard to claims 16 and 23, Rice discloses a work surface (figs. 1, 3; col. 2, lines 26-31) with guide channel (22).

With regard to claims 17 and 24, Rice discloses a workpiece fence (74) slidably positioned on the work surface.

With regard to claims 19 and 26, Rice discloses a mitre guide (44, 48; figs. 3, 4).

Claims 18 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rice et al. (4,884,604) in view of Ferdinand et al. (4,484,608) as applied to claims 6 and 11 above, and further in view of Jaksha (5,367,933). Rice does not disclose a feather flap. Jaksha teaches in a similar art, the use of a workpiece fence incorporating a feather flap constructed of resilient

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material (col. 2, lines 24-26) so as to hold a workpiece against a work surface. Because the references are from a similar art and deal with a similar problem. (i.e. holding/guiding a workpiece relative to a working surface) it would have been obvious at the time of the invention to one having ordinary skill in the art to provide Rice's fence with a feather flap to hold/guide a workpiece as taught by Jaksha.

Claims 20 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rice et al. (4,884,604) in view of Ferdinand et al. (4,484,608) as applied to claims 6 and 11 above, and further in view of Fukuda (5,868,188). Rice does not disclose a safety shield. Fukuda teaches that it is old and well known to use a safety shield when operating and/or using a router. Fukuda teaches the use of a transparent safety shield (100) placed over a router hole (606) so as to improve safety when operating a router. Because the reference are from a similar art, it would have been obvious at the time of the invention to one having ordinary skill in the art to provide Rice with a safety shield positioned over the router for improved safety during operation of the router as taught by Fukuda.

### ***Response to Arguments***

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that the prior art reference, Rice fails to disclose at least three groups of router mounting hole patterns in which each group has a unique combination of radial distances from the router bit and angular positions around the router bit opening. As noted above with

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reference to claims 6 and 11, Examiner agrees, that Rice does not disclose “a unique combination of radial distance...and angular positions”, however Ferdinand et al. teaches this deficiency. Examiner notes that Ferdinand teaches hole pattern groups denoted (100, 102, 104) wherein the holes illustrated as (100) are a single group; those denoted (102) and (104) are additional separate groups. The holes of (100) being of a distance away and at right angles, i.e., 90° from the router bit hole. The holes of (102) being the furthest radial distance away from the router bit hole center and at an angular distance different from that of hole pattern group (100). Additionally, hole pattern group (104) is at a radial distance nearest the router bit hole center and at an angular distance different from that of hole pattern groups (104) and (102). Accordingly, Ferdinand adequately teaches the deficiency of Rice and a new rejection is applied with reference to Rice and Ferdinand.

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelley Self whose telephone number is (571) 272-4524. The examiner can normally be reached Mon-Fri from 8:30am to 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Derris Banks can be reached at (571) 272-4419. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on accessing the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SSelf

July 14, 2005



DERRIS H. BANKS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700